

REMARKS

By this amendment, Applicant amends Claims 13-20.

PENDING CLAIMS

Claims 1-20 are pending in the application.

SUMMARY OF THE REJECTIONS

The Examiner rejected Claims 13-20 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The Examiner provisionally rejected Claims 1 and 12 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 and 24 of co-pending Application No. 10/809,943 and Claims 1 and 9 of copending Application No. 10/696,371.

The Examiner rejected Claims 1-12 under 35 U.S.C. 102(e) as being anticipated by *Hellman et al.* ("*Hellman*") (US 20030163597A1).

The Examiner rejected Claims 13-20 under 35 U.S.C. (103)(a) as being unpatentable over *Hellman et al.* ("*Hellman*") (US 20030163597A1).

APPLICANT'S RESPONSE TO PROVISIONAL OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION:

Applicants duly note the provisional obviousness-type double patenting rejection of the Office Action based on a co-pending application with serial no. 10/696,371 and co-pending application with serial no. 10/809,943. Applicants will address the rejection at such time when either application 10/696,371 or 10/809,943 matures into a patent.

CLAIMS 1 and 12

The Office Action states that Claims 1-12 are anticipated by *Hellman*. Applicants respectfully disagree. *Hellman* fails to disclose, suggest, anticipate or make obvious Claims 1-12.

Applicants' independent Claim 1 requires "converting information in a first form" into a "second intermediate form." Claim 1 also requires converting the second intermediate form into a "target form". In other words, Claim 1 requires three forms of data, namely, a first form, an intermediate and a target form.

In contrast, *Hellman* suggests, at best, only two forms of data, namely, XML Schema and class/relation definitions. In *Hellman*, a first form is converted to a second form, and the second form is converted back to the first form (see ¶ 0127, 0070, 0071)

First form of data in *Hellman*: The Office action points to paragraphs 0045, 0070, 0074 in *Hellman* as support for finding the "first form" of data. It is surmised that the Examiner believes that the XML data disclosed in paragraphs 0045, 0070, 0074 of *Hellman* anticipates the "first form" of data in Applicants' Claim 1.

Second intermediate form of data in *Hellman*: The Office action points to paragraphs 0058, 0059, 0074, 0198 in *Hellman* as support for finding the "second intermediate form" of data as required by Claim 1. It is surmised that the Examiner believes that "converting the XML Schema into class and relation definitions" disclosed in paragraphs 0074, 0198 of *Hellman* anticipates the Claim 1 limitation of converting enterprise information from a first form to a second intermediate form.

In fact, *Hellman* fails to suggest any intermediate form of data. Rather, *Hellman* discloses the conversion of a first form (XML schema) to a final form (class/relation definitions) using an “XML embedder.” *Hellman* also discloses reverting to the first form from the final form by using an “XML generator.” *Hellman* clearly teaches that the solution in *Hellman* is “converting the XML schema into class and relation definitions” (§ 0070) and then reversing the process by “generating an XML schema from class and relation definitions” (§ 0071). In other words, *Hellman* discloses the conversion of a first form into a final form, and the final form is converted back to the first form.

Thus, Applicants respectfully disagree with the Examiner’s contention that *Hellman*’s XML schema and class/relation definitions anticipate the first form and second intermediate form of data, respectively, in Claim 1. However, assuming *arguendo* that the Examiner is correct, *Hellman* fails to disclose a third form of data (“target form”) as required by Claim 1.

Alternatively, assuming *arguendo* that *Hellman*’s final form as described above anticipates the target form of Claim 1, then *Hellman* still fails to anticipate Claim 1 because *Hellman* fails disclose a second intermediate form.

Independent Claim 12 is the Beauregard version of Claim 1 and thus contains limitations that parallel the limitations of Claim 1. Therefore, Claim 12 is allowable for at least the reasons set forth herein with respect to Claim 1.

CLAIMS 2-11

Claims 2 to 11 are directly dependent upon independent Claim 1, and include all the features of Claim 1. Therefore, it is respectfully submitted that

Claims 2-11 are allowable for at least the reasons provided herein with respect to Claim 1. Furthermore, it is respectfully submitted that Claims 2-11 recite additional features that independently render Claims 2-11 patentable over *Hellman*.

CLAIMS 13-20

Hellman fails to disclose, suggest, anticipate or make obvious Claim 13, as amended. As previously explained in reference to Claim 1 herein, *Hellman* fails to suggest any intermediate form of data as required by Claim 13. Claims 14-20 are directly dependent upon independent Claim 13, and include all the features of Claim 13. Therefore, it is respectfully submitted that Claims 14-20 are allowable for at least the reasons provided with respect to Claim 13.

CONCLUSION

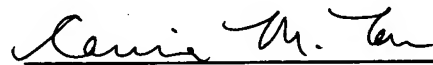
For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4311.

The Commissioner is authorized to charge any fees due to Applicants' Deposit Account No. 50-2207.

Respectfully submitted,
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